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13 MAIN STREET MARKETING, LLC  
14 AND JERROD MCALLISTER

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16 **UNITED STATES DISTRICT COURT**  
17 **SOUTHERN DISTRICT OF CALIFORNIA**  
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19 CLAUDINE OSGOOD, an individual;  
20 ANTON EWING, an individual,

21 Plaintiffs,

22 vs.

23 MAIN STREET MARKETING, LLC, a  
24 Utah limited liability company; JERROD  
25 ROBKER, an individual, aka JERROD  
26 MCALLISTER; DOES 1-100; ABC  
27 CORPORATIONS 1-100; XYZ, LLC's 1-  
28 100,

Defendants.

Case No. 3:16-cv-02415-GPC-BGS

Assigned to:  
District Judge, Hon. Gonzalo P. Curiel  
Magistrate Judge, Hon. Bernard G.  
Skomal

**DECLARATION OF  
ANA TAGVORYAN IN SUPPORT  
OF MOTION TO WITHDRAW AS  
ATTORNEY OF RECORD FOR  
DEFENDANTS MAIN STREET  
MARKETING, LLC AND JERROD  
MCALLISTER**

Date: April 21, 2017  
Time: 1:30 p.m.  
Courtroom: 2D

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**DECLARATION OF ANA TAGVORYAN**

I, Ana Tagvoryan, declare as follows:

1. I am attorney licensed to practice law in the State of California and am a partner at Blank Rome LLP, counsel for Defendants Main Street Marketing and Jerrod McAllister (also known as Jerrod Robker) (collectively, "Defendants").

All facts contained herein are within my personal knowledge and, if called as a witness, I could and would testify competently thereto.

2. I am attorney of record for Defendants, who voluntarily engaged myself and Blank Rome LLP to represent them in this action by a signed engagement agreement.

3. Pursuant to that agreement, Defendants agreed to pay our expenses and fees incurred in connection with defending this action, payable upon receipt of a monthly invoice.

4. However, Defendants have not paid any of the invoices reflecting the fees and expenses incurred by counsel in defending this action since its inception.

5. In both October 2016 and early November 2016, I cautioned Defendants by email that their failure to pay our outstanding invoices and lack of communication hindered our ability to represent them in this action, and that their failure to pay our invoices or participate in the action could result in our withdrawal. I understand that Safia Hussain, another Blank Rome LLP attorney representing Defendants in this action, had similar discussions with Defendants by telephone in both early November 2016 and early December 2016.

6. Since mid-November 2016, Defendants have becoming increasingly non-communicative and non-responsive to my telephone calls (including voicemails) and emails. Recently, Defendants have completely stopped responding to my telephone calls and emails. Ms. Hussain also has attempted to contact Defendants by telephone, leaving voicemails, and through email.

1 Defendants also have not responded to Ms. Hussain's telephone calls, voicemails,  
2 or emails.

3 7. On January 23, 2017, I emailed Defendants to inform them that failure  
4 to promptly pay our outstanding invoices would result in the initiation of  
5 withdrawal proceedings. Defendants did not respond to my email.

6 8. On January 30, 2017, I again emailed Defendants to inform them of  
7 our intent to withdraw as counsel in light of their failure to pay our outstanding  
8 invoices and because of our difficulty in communicating with them regarding this  
9 action. I requested that Defendants seek substitute representation promptly and  
10 inform me of that substitute representation. Defendants did not respond to my  
11 email.

12 9. Because these communications with Defendants are privileged, I have  
13 not attached them to this declaration as exhibits, but will submit them to the Court  
14 *in camera* upon the Court's request. I also can submit the engagement agreement  
15 *in camera* upon the Court's request.

16 10. I remain willing to accept service of papers for forwarding purposes  
17 for a reasonable period of time while Defendants engage substitute counsel.

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11. Promptly upon filing the Notice of Motion to Withdraw as Attorney of Record for Defendants Main Street Marketing, LLC and Jerrod McAllister, the accompanying Memorandum of Points and Authorities in support thereof, and this Declaration, I will cause such documents to be served upon Defendants by FedEx as set forth in the Proofs of Service. I also will promptly send courtesy copies of the foregoing documents to Defendants to the email addresses I have on file.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 7<sup>th</sup> day of February 2017, in Los Angeles, California.

  
ANA TAGVORYAN